



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/548,201	04/13/2000	Michael Voticky	044839.0048	6646

7590 04/10/2002

Akin Gump Strauss Hauer & Feld  
1900 Frost Bank Plaza  
816 Congress Avenue  
Austin, TX 78701

EXAMINER

ESCALANTE, OVIDIO

ART UNIT PAPER NUMBER

2645

DATE MAILED: 04/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

cd

# Office Action Summary

Application No.

09/548,201

Applicant(s)

VOTICKY ET AL.

Examiner

Ovidio Escalante

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-68,70 and 72-97 is/are pending in the application.
- 4a) Of the above claim(s) 5-52,54-63,72,73,76-82,84-93,96 and 97 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,53,64-68,70,74,75,83,94 and 95 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 18 January 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. This action is in response to applicant's amendment filed on January 18, 2002. **Claims 1,3-68,70,72-97** are now pending in the present application of which claims 5-45,72-73,76-82,84-93,96-97 are non-elected.
2. The Examiner will examine claims 1,3,4,53,64-68,70,74,75,83,94 and 95.

### ***Election/Restrictions***

3. Applicant has elected, without traverse the invention of Species III and sub-Species III corresponding to claims 74,53,64,65. Applicant has further added new claims 75-97.

During a telephone conversation with Richard Knight on April 2, 2002 affirmation of this election was made and a further restriction of the new claims was made in which claims 75,83,94 and 95 was elected for being readable upon the elected Species and sub-Species. New claims 76-82,84-93 and 96-97 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

### ***Drawings***

4. The corrected drawings were received on January 18, 2002. These drawings are acceptable for the Examiner, however the corrected drawings are not approved by the draftsman.

### ***Priority***

5. This application repeats a substantial portion of prior Application No. 09/224,148, filed December 31, 1998, and adds and claims additional disclosure not presented in the prior application. Since this application names an inventor or inventors named in the prior application, it may constitute a continuation-in-part of the prior application. Should applicant desire to obtain

Art Unit: 2645

the benefit of the filing date of the prior application, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78.

### ***Double Patenting***

6. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1,4,74,75, and 70 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1,4,13,21 of U.S. Patent No. 6,351,764. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims in the Application are broader than the claims in US Patent 6,351,764.

- Claim 1 of the application is the same as claim 1 of the patent except that claim 1 of the application does not claim a source of delivery of the received information message being indicated by a unique identifier accompanying the received information message and receiving the received information messages.
- Claim 1 and claim 74, of the application is the same as claim 1 of the patent as applied above and claim 4 of the patent.
- Claim 75, of the application is the same as claim 21 of the patent except that claim 75 of the application does not claim the source of delivery of the voice-mail message being indicated by a unique identifier accompanying the voice mail message and receiving the voice mail

Art Unit: 2645

message and depositing the voice mail message into at least one of a plurality of virtual mailboxes.

- Claim 70 of the application is the same as claim 13 of the patent except claim 70 of the application does not claim a data code being a single desired code from a plurality of desired codes that corresponds to a single known identifier from the plurality of known identifiers in the database that corresponds to the unique identifier if the unique identifier corresponds to one of the known identifier.

***Information Disclosure Statement***

7. The information disclosure statement submitted on August 29, 2001 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly the information disclosure statement is being considered by the examiner.

***Claim Rejections - 35 USC § 102***

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***As per claim 1:***

Scannell teaches of a method and apparatus for prioritizing a plurality of incoming messages.

Scannell further teaches a method for an electronic communication message system to prioritize an information message (email message) (col. 2, lines 36-37, 49-62) comprising:

determining a personalized identifier corresponding to the message, (col. 5, lines 32,40,42,46,54,57 – the message may be identified by the sender field);

Art Unit: 2645

locating the personalized identifier in a database, (col. 7, lines 38-42), (The comparator 52 locates the sender identifier in the database that matches the received sender message);

assigning from the database a priority code (1 – highest priority through 5 – lower priority) corresponding the personalized identifier, (col. 6, lines 65-68); and

prioritizing the message according to the priority code, (col. 6, lines 65-68, col. 9, lines 23-30; the message is given a priority code depending on the rules that was predefined by the user); and

depositing the message into at least one of a plurality of virtual mailboxes (in-tray 16, FLDR-1 17, FLDR-2 18) where the message is sorted within such virtual mailbox based on the priority code, (col. 2, lines 21-27; col. 8, lines 9-19).

***As per claim 3:***

Scannell teaches of wherein the database, the personalized identifiers, the priority codes, and the correlation between the personalized identifiers and the priority codes are initially defined by a user and subsequently changeable by said user, (col. 6, lines 9-17; the user can set up rules that are used to sort or prioritize the messages).

***As per claim 68:***

Scannell teaches of a system for prioritizing a received information message, (lines 1-2 of the abstract), the system including a database (Rules Store, figs 1 and 2) maintaining known personalized identifiers and priority codes corresponding to known personalized identifiers (col. 6, lines 18-22, fig. 2; The personalized identifiers represent the identity of the senders and the associated priority fields 45 is used for assignment of a priority code, col. 6, lines 65-68), said system comprising:

Art Unit: 2645

a computing device (rules test unit -abstract) for determining a first personalized identifier associated with a received information message, (col. 5, line 65-col. 6, line 3);

a location device (comparator 52) for matching the first personalized identifier with a priority code in said database, (col. 7, lines 38-45);

a priority assignment device (priority assignment unit 45) for assigning a priority code to the received information message corresponding to the first personalized identifier, (col. 9, lines 23-30); and

a prioritizer to prioritize the received information message according to the priority code into at least one of a plurality of virtual mailboxes wherein the received information message is sorted within such virtual mailbox based on the priority code. (col. 9, lines 23-30, col. 6 lines 65-68, col. 2, lines 21-27; col. 8, lines 9-18).

***As per claim 70:***

Scannell teaches of a computer-readable medium of instructions and data comprising:

a received message, (lines 4-5 of the abstract; col. 3, lines 37-39);

a personalized identifier corresponding to the received message, (block 26 (sender) of message 25, fig. 2);

computer instructions for receiving the message and the personalized identifier, (col. 3, lines 39-49);

a database (Rules Store 12, figs 1 and 2) containing known personalized identifiers, each having corresponding priority codes, (col. 6, lines 18-22);

computer instructions for locating the personalized identifier to the database to determine whether the personalized identifier is a known personalized identifier with an assigned priority code indicated in the database, (col. 7, lines 38-45);

a priority code corresponding to the message, (col. 6, lines 65-68, col. 9, lines 23-30);

computer instructions for assigning the priority code to the message, (col. 9, lines 23-30);

and

computer instructions for prioritizing the received information message according to the priority code, (col. 6, lines 65-68, abstract) into at least one of a plurality of virtual mailboxes wherein the received information message is sorted within such virtual mailbox based on the priority code, (col. 2, lines 21-27; col. 8, lines 9-18).

9. Claim 75 is rejected under 35 U.S.C. 102(e) as being anticipated by Rochkind US Patent 6,301,608.

**Regarding claim 75**, Rochkind teaches a method for an electronic communications message system to prioritize an information message, (col. 2, lines 29-39) wherein the information message is a voicemail message (col. 2, lines 37-38; col. 4, lines 20-24), comprising:

determining a personalized identifier (address extension) corresponding to the message, (col. 2, lines 41-49);

locating the personalized identifier in a database, (col. 2, lines 50-52);

assigning from the database a priority code (priority sequence- table 2) corresponding to the personalized identifier, (table 2; col. 6, lines 39-46); and

prioritizing the message according to the priority code, (col. 2, lines 58-63).



***Claim Rejections - 35 USC § 103***

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11. Claim 74 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scannell in view of Rochkind EP 0825752 A2.

***As per claim 74:***

While Scannell teaches of the information message being an e-mail message, Scannell does not specifically teach of the information message being a voice mail message.

Rochkind teaches of a system which prioritizes and sorts email messages, voice mail messages and multimedia messages, (page 54, lines 54-56). The system prioritizes incoming voice mail messages based on personalized rules set by the user such as using an address extension. The sender of a message will indicate an extension which will be used by the receiver's system to determine what priority the message should receive, (page 5, table 2). The message is then stored in the mailbox according to the priority code.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Scannell by prioritizing voice mail messages as taught by Rochkind so that a user can prioritize all of the incoming voice, email and multimedia messages and can determine what messages are important without having to read or listen to all of the messages.

12. Claims 4 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scannell in view of Lim et al. US Patent 5,883,942, (hereinafter Lim).

***As per claims 4 and 66:***

Scannell, as applied to claim 1, does not specifically teach of providing a personalized response to the sender.

Lim teaches of a system which sends personalized responses to the caller depending on their caller identification, (lines 1-5 of the abstract, fig. 2A). Lim further teaches of wherein the elements of the method are performed by an automated system consisting of a voice-type message storage device, (col. 4, lines 28-29, the voice recorder records the message and the data storage stores the received message).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Scannell by having the system provide a personalized response to the sender based on the sender identification as taught by Lim so that the sender, if they are important to the message receiver, can receive a personalized message that indicates for example, that they can leave a message which will be given high priority; or if the identification can determine that the sender is not important then the system can play a different message and/or reject the sender's message.

13. Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scannell in view of Katz US Patent 5,646,839.

***As per claim 67:***

Scannell as applied above, does not specifically teach of the identifier being a biometric signature technology that is associated with the sender and the message.

Katz teaches of wherein the personalized identifier is a biometric signature technology that is associated with the sender and the message, (col. 2, lines 60-67). The person is recognized before they can leave a voice message.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Scannell by using the biometric signature technology to identify the sender so that the user can be identified before the message arrives at the destination.

14. Claims 64-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scannell in view of Rochkind and further in view of Lim.

***As per claims 64 and 65:***

While Scannell and Rochkind, as applied above, teach of wherein the information message is a voice mail message, they do not specifically teach of providing a personalized greeting or response.

Lim teaches of providing a personalized greeting or response to the sender based on the personalized identifier and the priority code, (lines 1-5 of the abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Scannell and Rochkind by having the system provide a personalized response to the sender based on the sender identification as taught by Lim so that the sender, if they are important to the message receiver, can receive a personalized message that indicates for example, that they can leave a message which will be given high priority; or if the identification can determine that the sender is not important then the system can play a different message and/or reject the sender's message.

15. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scannell in view of Rochkind and further in view of Katz.

***As per claim 53:***

While Scannell in view of Rochkind teaches of the information message being a voicemail message as applied to claim 74, Scannell and Rochkind failed to teach of the personalized identifier is derived from the voiceprint of an audio element associated with the voicemail message.

Katz teaches that using voiceprints to identify a person is well known in the art, (col. 2, lines 60-67, col. 7, lines 44-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Scannell by using the biometric signature technology to identify the sender as taught by Katz so that the user can be identified before the message arrives at the destination.

16. Claim 83 rejected under 35 U.S.C. 103(a) as being unpatentable over Rochkind in view of Katz.

***Regarding claim 83,*** While Rochkind teaches of the information message being a voicemail message, Rochkind does not specifically teaches of the personalized identifier is derived from the voiceprint of an audio element associated with the voicemail message.

Katz teaches that using voiceprints to identify a person is well known in the art, (col. 2, lines 60-67, col. 7, lines 44-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rochkind by using the biometric signature technology to identify the sender as taught by Katz so that the user can be identified before the message arrives at the destination.

17. Claims 94 and 95 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rochkind in view of Lim.

***Regarding claims 94 and 95,*** Rochkind does not specifically teach of providing a personalized response to the sender.

Lim teaches of a system which sends personalized greeting or responses to the caller depending on their caller identification, (lines 1-5 of the abstract, fig. 2A). Lim further teaches of wherein the elements of the method are performed by an automated system consisting of a voice-type message storage device, (col. 4, lines 28-29, the voice recorder records the message and the data storage stores the received message).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rochkind by having the system provide a personalized response to the sender based on the sender identification as taught by Lim so that the sender, if they are important to the message receiver, can receive a personalized message that indicates for example, that they can leave a message which will be given high priority; or if the identification can determine that the sender is not important then the system can play a different message and/or reject the sender's message.

18. Claim 1 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Using Outlook's Rules Wizards and Assistants (January 1998), hereinafter Outlook 98 in view of CallegraDesk<sup>TM</sup> for Microsoft Outlook/Exchange (August 1998), hereinafter CallegraDesk.

***Regarding claims 1 and 75,*** Outlook 98 provides a method for users to sort and prioritize e-mail messages based on who sent the message or based on words located in the subject, body, or sender's address.

When a message is received in the user's Inbox, the Rules Wizard feature of Outlook 98 determines based upon Rules that was defined by the user whether or not the received message meets the predetermined conditions by scanning the e-mail for the words defined in the rules Wizards database, (see page 8, "Outlook 98-Email Visual 11", Outlook 98 shows an example of a message received from a sender with the personalized identifier of "Andrew Svec" which is moved to a specific Folder "Faculty").

A user can also assigning a priority code such as high priority, low priority or normal to the incoming message based on who sent the message i.e., personalized identifier. Outlook 98 provides a prioritizing message which can send an incoming message to certain folders based upon either content or who sent the messages, (see page 7. Under Examples of Rules You Can Create - "Move messages to a particular folder based on who sent them"; and "assign categories to messages based on the contents of the messages").

Therefore, the user will create several folders (virtual mailboxes) for the different senders and priorities. Outlook further provides the feature of sorting messages within each folder.

Outlook 98 is used primarily for e-mail messages and therefore not specifically used for voice mail messages.

CallegraDesk teaches of a message management system that is able to receive voice mail and e-mail messages. CallegraDesk is used in Outlook, therefore it would have been obvious to use the prioritizing technique used by Outlook for received voicemail messages with the CallegraDesk so that a user can prioritized and manage all of their messages from a single location, (see page 1, CallegraDesk).

***Response to Arguments***

19. Applicant's arguments filed January 18, 2002 have been fully considered but they are not persuasive.

***Regarding claims 1,68, and 70***, Applicants contend that Scannell does not disclose sorting and depositing the e-mail message into a plurality of virtual mailboxes wherein the e-mail message is sorted within such virtual mailbox(es) based on the assigned code. The Examiner respectfully disagrees.

The newly added limitation states “depositing the message into a least **one** of a plurality of virtual mailboxes. Scannell teaches of at least three folders (virtual mailboxes) and Scannell further teaches of prioritizing and sorting the message in at least one folder “in tray”, (col. 2, lines 21-27; col. 3, lines 1-11; col. 6, lines 9-17). Specifically regarding col. 6, lines 9-17, Scannell states that each incoming message is given a priority level and is filed in **one or more** selected files (virtual mailboxes).

The newly added limitation further states “wherein the message is sorted within such virtual mailbox(es) based on priority code. As per “mailbox(es)”, the “()” is treated as a simple alternative therefore only one mailbox is needed and since Scannell clearly teaches of at least one mailbox for sorting and prioritizing e-mail messages as shown above then Scannell reads on the newly added limitation and anticipates claim 1. Scannell states that each incoming message is prioritized and sorted in at least the in tray, (col. 2, lines 21-27; col. 8, lines 9-18).

The Examiner notes that Scannell primarily uses the “in tray” as the main storage place for sorting and prioritizing messages in the main folder store 15, however Scannell also suggests

and teaches that the prioritized messages can go to the other folder such as folder 17 and folder 18 as shown in col. 8, lines 14-19; col. 6, line 63-col. 7, line 4).

***Regarding claim 74***, Applicants submit that Scannell and Rochkind are not combinable due to technological incompatibilities and Rochkind teaches away from an e-mail embodiment. Applicant states that it is not possible to append the “address extension” of Rochkind to an e-mail address because any such appendage becomes part of the e-mail address and will distinguish the resulting extended address from the address of the actual intended recipient. The Examiner respectfully disagrees.

Rochkind teaches of a system for prioritizing e-mail, facsimile and voice mail messages. Rochkind states that an electronic mailbox sorts messages according to customized rules set by the owner of the mailbox through the use of address extension, (col. 2, lines 34-57; Rochkind 6,301,608-- EP 0825752 corresponds to Rochkind 6,301,608). In col. 2, lines 34-39, Rochkind states that the technique of using “address extensions” can be used with audio, video, electronic text, electronic graphics and/or any combination thereof. Rochkind suggests of using a prioritization technique involving e-mail messages, therefore one of ordinary skill in the art would be able to use Scannell in combination with Rochkind.

While Applicant’s arguments may be true in regard to that adding an address extension to an email address which will alter the recipient’s address, the Rochkind Patent clearly states that an address extension can be added to the prioritization method for e-mail messages.

Furthermore, while Rochkind gives examples of the address extensions being used in at least voice and fax messages by way of adding the extension to the end of the number, Rochkind does not show an example of how an address extension is added to an e-mail address, therefore



one can not assume that the “address extension” is appended to the e-mail address or that the Rochkind reference is limited to only appending the “address extension” to the address.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Rochkind and Scannell teach of using a prioritization method with at least e-mail messages and therefore, the two systems are properly combinable. One skilled in the art would have modified the system of Scannell to accept the sorting and prioritization of voice mail messages so that the most important messages would be listened to first.

Regarding the new rejection involving Outlook 98 and CallegraDesk, the Examiner believes that at least the use of Outlook 98 reads at least claim 1. The Examiner used Outlook to determine that by using the Rules Wizard one can prioritize and sort incoming messages according to predetermined rules set by the user.

As stated in the rejection, Outlook (Rules Wizard) in its simplest form will determine the message sender and will look in a database to see if that particular message sender has a predetermined rules that was setup by the user. The user can define rules such as sending the incoming message to a predetermined message, mark the incoming message with high or low importance or the combination of both. The Examiner tested this method with Outlook and believes that at least claim 1 reads on the Rules Wizard feature of Outlook.

The Examiner respectfully ask Applicants, if they disagree with at least the rejection based on Outlook, to call the Examiner to schedule an interview so that the rejection based on Microsoft's Outlook 98 can be discussed.

***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Voticky et al. US Patent 6,351,764 teaches of a system for prioritizing and sorting incoming messages based upon a unique identifier that is received with the message.

21. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington. VA, Sixth Floor (Receptionist).

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262. The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group is (703) 872-9314.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ovidio Escalante  
Examiner  
Group 2645  
April 5, 2002

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

